

115TH CONGRESS
1ST SESSION

H. R. 1491

To reaffirm the action of the Secretary of the Interior to take land into trust for the benefit of the Santa Ynez Band of Chumash Mission Indians, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2017

Mr. LAMALFA introduced the following bill; which was referred to the
Committee on Natural Resources

A BILL

To reaffirm the action of the Secretary of the Interior to take land into trust for the benefit of the Santa Ynez Band of Chumash Mission Indians, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Santa Ynez Band of
5 Chumash Indians Land Affirmation Act of 2017”.

6 **SEC. 2. FINDINGS.**

7 Congress finds as follows:

1 (1) The Chumash People have resided along
2 California's Central Coast since time immemorial.
3 Prior to contact with European settlers in 1769, an
4 estimated 22,000 Chumash lived in villages between
5 Malibu and Monterey, California.

6 (2) Like many California Indians, many of the
7 Chumash people were forced to live on Spanish Mis-
8 sions. Mission life was cruel and resulted in the deci-
9 mation of the Chumash people so that by 1831, the
10 number of mission registered Chumash had fallen to
11 2,788.

12 (3) After the dissolution of Mission Santa Ines,
13 in current day Santa Ynez, California, the Santa
14 Ynez Band of Chumash Indian was able to begin to
15 reassemble its government and culture. Tribal lead-
16 ers and members continued to be marginalized until
17 the United States granted the tribe 99 acres to es-
18 tablish its reservation in 1901.

19 (4) More than 100 years later, the tribe finally
20 secured the resources to expand its reservation and
21 purchased roughly 1,400 acres only a few miles
22 away from its current lands. This land is more accu-
23 rately described in section 3(e) of this legislation.

24 (5) On June 1, 2011, the Santa Ynez Band of
25 Chumash Indians deliver a proposed cooperative

1 agreement to the County of Santa Barbara as an
2 initial offer to mitigate any potential impacts of tak-
3 ing the land into trust.

4 (6) On June 27, 2013, after waiting more than
5 two years for a response from Santa Barbara Coun-
6 ty to the tribe's proposed mitigation agreement, the
7 Santa Ynez Band of Chumash Indians submitted a
8 fee-to-trust application for the Camp 4 property.

9 (7) The BIA published a Notice of Availability
10 for the initial Environmental Assessment and invited
11 comments through an extended comment period end-
12 ing on November 18, 2013. In response to comments
13 and changes in the plan for development of Camp 4,
14 the BIA conducted another Environmental Assess-
15 ment. A final, revised EA was published in May
16 2014 through a Notice of Availability, and com-
17 ments on the revised Environmental Assessment
18 were accepted through and extended comment period
19 ending July 14, 2014.

20 (8) Based on the comments submitted to the
21 revised Environmental Assessment for the proposed
22 Federal action to accept the fee-to-trust transfer for
23 the Santa Ynez Band of Chumash Indians, the Bu-
24 reau of Indian Affairs issued a Finding of No Sig-
25 nificant Impact on October 23, 2014.

1 (9) On December 24, 2014, the Bureau of In-
2 dian Affairs Pacific Region issued a Notice of Deci-
3 sion indicating its intent to accept the fee-to-trust
4 transfer of the Camp 4 land.

5 (10) Throughout 2015, a number of parties ap-
6 pealed the Bureau of Indian Affairs' proposed deci-
7 sion to take the Camp 4 land into trust on behalf
8 of the Santa Ynez Band of Chumash Indians.

9 (11) On January 19, 2017, Department of the
10 Interior Principal Deputy Assistant Secretary-Indian
11 Affairs Lawrence S. Roberts dismissed the appeals
12 and affirmed the December 24, 2014, Bureau of In-
13 dian Affairs Pacific Region decision to place the
14 Camp 4 land into trust on behalf of the Santa Ynez
15 Band of Chumash Indians.

16 **SEC. 3. REAFFIRMATION OF STATUS AND ACTIONS.**

17 (a) RATIFICATION OF TRUST STATUS.—The action
18 taken by the Secretary on January 20, 2016, to place ap-
19 proximately 1,427.28 acres of land located in Santa Bar-
20 bara County, California, into trust for the benefit of the
21 Santa Ynez Band of Chumash Indians is hereby ratified
22 and confirmed as if that action had been taken under a
23 Federal law specifically authorizing or directing that ac-
24 tion.

1 (b) RATIFICATION OF ACTIONS OF THE SEC-
2 RETARY.—The actions taken by the Secretary to assume
3 jurisdiction over the appeals relating to the fee-to-trust ac-
4 quisition of approximately 1,427.28 acres in Santa Bar-
5 bara County, California, on January 20, 2015, is hereby
6 ratified and confirmed as if that action had been taken
7 under a Federal law specifically authorizing or directing
8 that action.

9 (c) RATIFICATION OF ACTIONS OF THE SEC-
10 RETARY.—The actions taken by the Secretary to dismiss
11 the appeals relating to the fee-to-trust acquisition of ap-
12 proximately 1,427.28 acres in Santa Barbara County,
13 California, on January 19, 2017, is hereby ratified and
14 confirmed as if that action had been taken under a Fed-
15 eral law specifically authorizing or directing that action.

16 (d) ADMINISTRATION.—

17 (1) ADMINISTRATION.—The land placed into
18 trust for the benefit of the Santa Ynez Band of
19 Chumash Indians by the Secretary of the Interior on
20 January 20, 2017, shall be a part of the Santa Ynez
21 Indian Reservation and administered in accordance
22 with the laws and regulations generally applicable to
23 the land held in trust by the United States for an
24 Indian tribe.

1 (2) EFFECT.—For purposes of certain Cali-
 2 fornia State laws (including the California Land
 3 Conservation Act of 1965, Government Code Section
 4 51200, et seq.), placing the land described in sub-
 5 section (b) into trust shall remove any restrictions
 6 on the property pursuant to California Government
 7 Code Section 51295 or any other provision of such
 8 Act.

9 (e) LEGAL DESCRIPTION OF LANDS TRANS-
 10 FERRED.—The lands to be transferred pursuant to this
 11 Act are described as follows:

12 Legal Land Description/Site Location:Real
 13 property in the unincorporated area of the County of
 14 Santa Barbara, State of California, described as fol-
 15 lows: PARCEL 1: (APN: 141-121-51 AND POR-
 16 TION OF APN 141-140-10)LOTS 9 THROUGH
 17 18, INCLUSIVE, OF TRACT 18, IN THE COUN-
 18 TY OF SANTA BARBARA, STATE OF CALI-
 19 FORNIA, AS SHOWN ON THE MAP SHOWING
 20 THE SUBDIVISIONS OF THE CANADA DE
 21 LOS PINOS OR COLLEGE RANCHO, FILED IN
 22 RACK 3, AS MAP 4 IN THE OFFICE OF THE
 23 COUNTY RECORDER OF SAID COUNTY. THIS
 24 LEGAL IS MADE PURSUANT TO THAT CER-
 25 TAIN CERTIFICATE OF COMPLIANCE RE-

1 CORDED DECEMBER 5, 2001 AS INSTRU-
2 MENT NO. 01-105580 OF OFFICIAL RECORDS.
3 PARCEL 2: (PORTION OF APN: 141-140-
4 10)LOTS 1 THROUGH 12, INCLUSIVE, OF
5 TRACT 24, IN THE COUNTY OF SANTA BAR-
6 BARA, STATE OF CALIFORNIA, AS SHOWN
7 ON THE MAP SHOWING THE SUBDIVISIONS
8 OF THE CANADA DE LOS PINOS OR COL-
9 LEGE RANCHO, FILED IN RACK 3, AS MAP 4
10 IN THE OFFICE OF THE COUNTY RE-
11 CORDER OF SAID COUNTY.THIS LEGAL IS
12 MADE PURSUANT TO THAT CERTAIN CER-
13 TIFICATE OF COMPLIANCE RECORDED DE-
14 CEMBER 5, 2001 AS INSTRUMENT NO. 01-
15 105581 OF OFFICIAL RECORDS. PARCEL 3:
16 (PORTIONS OF APNS: 141-230-23 AND 141-
17 140-10)LOTS 19 AND 20 OF TRACT 18 AND
18 THAT PORTION OF LOTS 1, 2, 7, 8, 9, 10, AND
19 15 THROUGH 20, INCLUSIVE, OF TRACT 16,
20 IN THE COUNTY OF SANTA BARBARA,
21 STATE OF CALIFORNIA, AS SHOWN ON THE
22 MAP SHOWING THE SUBDIVISIONS OF THE
23 CANADA DE LOS PINOS OR COLLEGE RAN-
24 CHO, FILED IN RACK 3, AS MAP 4 IN THE
25 OFFICE OF THE COUNTY RECORDER OF

1 SAID COUNTY, THAT LIES NORTHEAST-
2 ERLY OF THE NORTHEASTERLY LINE OF
3 THE LAND GRANTED TO THE STATE OF
4 CALIFORNIA BY AN EXECUTOR'S DEED RE-
5 CORDED APRIL 2, 1968 IN BOOK 2227, PAGE
6 136 OF OFFICIAL RECORDS OF SAID COUN-
7 TY.THIS LEGAL IS MADE PURSUANT TO
8 THAT CERTAIN CERTIFICATE OF COMPLI-
9 ANCE RECORDED DECEMBER 5, 2001 AS IN-
10 STRUMENT NO. 01-105582 OF OFFICIAL
11 RECORDS. PARCEL 4: (APN: 141-240-02 AND
12 PORTION OF APN: 141-140-10)LOTS 1
13 THROUGH 12, INCLUSIVE, OF TRACT 25, IN
14 THE COUNTY OF SANTA BARBARA, STATE
15 OF CALIFORNIA, AS SHOWN ON THE MAP
16 SHOWING THE SUBDIVISIONS OF THE CAN-
17 ADA DE LOS PINOS OR COLLEGE RANCHO,
18 FILED IN RACK 3, AS MAP 4 IN THE OFFICE
19 OF THE COUNTY RECORDER OF SAID
20 COUNTY.THIS LEGAL IS MADE PURSUANT
21 TO THAT CERTAIN CERTIFICATE OF COM-
22 PLIANCE RECORDED DECEMBER 5, 2001 AS
23 INSTRUMENT NO. 01-105583 OF OFFICIAL
24 RECORDS. PARCEL 5: (PORTION OF APN:
25 141-230-23)THAT PORTION OF LOTS 3 AND 6

1 OF TRACT 16, IN THE COUNTY OF SANTA
2 BARBARA, STATE OF CALIFORNIA, AS
3 SHOWN ON THE MAP SHOWING THE SUB-
4 DIVISIONS OF THE CANADA DE LOS PINOS
5 OR COLLEGE RANCHO, FILED IN RACK 3, AS
6 MAP 4 IN THE OFFICE OF THE COUNTY RE-
7 CORDER OF SAID COUNTY, THAT LIES
8 NORTHEASTERLY OF THE NORTHEAST-
9 ERLY LINE OF THE LAND GRANTED TO
10 THE STATE OF CALIFORNIA BY AN EXECU-
11 TOR'S DEED RECORDED APRIL 2, 1968 IN
12 BOOK 2227, PAGE 136 OF OFFICIAL
13 RECORDS OF SAID COUNTY. THIS LEGAL IS
14 MADE PURSUANT TO THAT CERTAIN CER-
15 TIFICATE OF COMPLIANCE RECORDED DE-
16 CEMBER 5, 2001 AS INSTRUMENT NO. 01-
17 105584 OF OFFICIAL RECORDS.

18 (f) RULES OF CONSTRUCTION.—Nothing in this Act
19 shall—

20 (1) enlarge, impair, or otherwise affect any
21 right or claim of the Tribe to any land or interest
22 in land that is in existence before the date of the en-
23 actment of this Act;

1 (2) affect any water right of the Tribe in exist-
 2 ence before the date of the enactment of this Act;
 3 or

4 (3) terminate or limit any access in any way to
 5 any right-of-way or right-of-use issued, granted, or
 6 permitted before the date of the enactment of this
 7 Act.

8 (g) RESTRICTED USE OF TRANSFERRED LANDS.—
 9 The Tribe may not conduct, on the land described in sub-
 10 section (b) taken into trust for the Tribe pursuant to this
 11 Act, gaming activities—

12 (1) as a matter of claimed inherent authority;
 13 or

14 (2) under any Federal law, including the Indian
 15 Gaming Regulatory Act (25 U.S.C. 2701 et seq.)
 16 and regulations promulgated by the Secretary or the
 17 National Indian Gaming Commission under that
 18 Act.

19 (h) DEFINITIONS.—For the purposes of this section:

20 (1) SECRETARY.—The term “Secretary” means
 21 the Secretary of the Interior.

22 (2) TRIBE.—The term “Tribe” means the
 23 Santa Ynez Band of Chumash Mission Indians.

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